

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

ERMIAS W. YOHANNES,)
Petitioner,)
vs.) Civil Action No: CV 14-S-963-M
SCOTT HASSELLE, *et al.*,)
Respondents.)

MEMORANDUM OPINION

This case is before the court on respondents' Motion to Dismiss as Moot. (Doc. 8). In the motion, respondents note that petitioner was released from ICE custody on July 9, 2014, pursuant to an Order of Supervision. (Doc. 8-1). Because petitioner has been released, respondents contend this case is due to be dismissed as moot.

On May 22, 2014, petitioner filed a petition for writ of habeas corpus seeking to be released from custody pending his removal to Eritrea. (Doc. 1). Because petitioner has been released on an order of supervision, his petition seeking that very relief is moot. *See Nyaga v. Ashcroft*, 323 F.3d 906, 913 (11th Cir.2003) (“a case must be dismissed as moot if the court can no longer provide ‘meaningful relief’”); *see also Spencer v. Kemna*, 523 U.S. 1, 8 (1998) (once a habeas petitioner is released

from custody, he must demonstrate collateral consequences to avoid mootness doctrine). Accordingly, this matter is due to be dismissed. *Khader v. Holder*, 843 F. Supp. 2d 1202 (N.D. Ala. 2011). A separate order will be entered.

DONE this 16th day of July, 2014.



United States District Judge